IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 8648 of 2007(D)

PETITIONER:

K.ZAKKIR HUSSAIN, S/O.KOYA KUNJU,
AGED 36, THENGUVEEDAYYATHU, KADATHOOR,
THAZHAVA P.O., KARUNGAPPALLY, KOLLAM DISTRICT.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED
BY THE SECRETARY TO GOVERNMENT,
SOCIAL WELFARE DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 8648 OF 2007

Dated this the 14th March, 2007.

JUDGMENT

The petitioner, it is stated, is a physically handicapped person. He was appointed temporarily under Rule 9(a)(i) of Part II K.S & S.S.R for a period of 179 days with effect from 18.5.1999. To complete the full period of temporary service he had to work beyond 15.8.1999. On the ground that the full term of the appointment was not completed before 15.8.1999, he was not given the benefit of the Government Orders directing that physically challenged persons who were appointed temporarily, can be reinstated and their services regularised. The petitioner submits that in the light of the Bench decision in W.A.1601/2006 construing the relevant Government Orders in favour of physically challenged persons similarly situated like the petitioners, he is entitled to be reinstated in service. Ext.P8 representation filed by the petitioner is pending with the first respondent. Counsel submits that this Court may direct the first respondent to pass orders on Ext.P8 in the light of Annexure 7 judgment in W.A.1601/2006.

2. Heard Govt. Pleader also.

3. In the circumstances there shall be an order

directing the first respondent to consider Ext.P8 and pass orders at the earliest, at any rate, within one month from the date of receipt of a copy of the judgment. Writ petition is disposed of accordingly.

The petitioner shall produce a copy of the writ petition and a copy of the judgment before the first respondent for necessary action.

K.K.DENESAN
Judge

jj